



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,503	09/15/2003	Yuji Hikawa	117186	7409
25944 7590 09/16/2009 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850				
EXAMINER				
LEE, PHILIP C				
ART UNIT		PAPER NUMBER		
2448				
MAIL DATE		DELIVERY MODE		
09/16/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/661,503

Applicant(s)

HIKAWA ET AL.

Examiner

PHILIP C. LEE

Art Unit

2448

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 July 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.3.5-17 and 24-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1.3.5-17 and 24-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

1. This action is responsive to the amendment and remarks filed on July 6, 2009.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/6/09 has been entered.
3. Claims 1, 3, 5-17 and 24-28 are presented for examination and claims 2, 4 and 18-23 are canceled.
4. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 101

5. Claims 5-17 are rejected under 35 U.S.C. 101 because “A device” comprising servers (i.e., software) does not include any functional physical structure of a device to be a machine. “A device” comprising servers (i.e., software) is considered as program per se, which is not one of the categories of statutory subject matter.

6. It is noted that “A system” / “A device” are lacking the necessary structural/mechanical element to be a system/a device (i.e., hardware) as claims appear directed solely to software elements/processes. Accordingly, the rejections are maintained.

Claim Rejections – 35 USC 103

7. Claims 1, 3, 5-7 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung, U.S. Patent 7,069,536 (hereinafter Yaung) in view of Collier et al, U.S. Patent 5,815,152 (hereinafter Collier).

8. Yaung and Collier were cited in the previous office action.

9. As per claim 1, Yaung teaches the invention substantially as claimed in which specified multiple processings of document data are processed in a cooperative manner on a network (col. 4, lines 37-46), comprising: a script creation server that creates indication data to indicate multiple processings performed to document data (creates a workflow to define the sequence and the order in which the nodes are processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event to be notified regarding progress of the multiple processings (to notify a user when not completed) (col. 6, lines 20-38) and a way to notify the event (fig. 3; col. 6, lines 9-13); at least one processing device that performs the multiple processings based on the indication data received from the script creation server (col. 3, lines 17-19, 32-38); a cooperative processing server that manages the progress of multiple processing (manages the

execution of processes for the workflow defined, manages processes and states, communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and sends a notice during the progress of the multiple processings based on the event to be notified indicated in the notice condition data received from the script creation server (sending notification, col. 6, lines 31-34; col. 7, lines 55-59).

10. Although Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38), however, Yaung does not teach indicate at least one of predetermined types of communication to notify the event and varying the at least one of the predetermined types of communication to notify the event.. Collier teaches a server that creates data to indicate at least one of predetermined types of communication to notify an event and sends notice based on the at least one of the predetermined types of communication to notify the event (330, fig. 15; col. 9, lines 4-28; col. 6, lines 59-67); and a notice form change part that varies the at least one of the predetermined types of communication to notify the event (col. 9, lines 4-16) in a case where a specific user performs a processing (col. 7, lines 48-67).

11. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

12. As per claim 3, Yaung teaches the invention substantially as claimed in which specified multiple processings of document data are processed in a cooperative manner on a network (col. 4, lines 37-46), comprising: creating indication data to indicate multiple processings performed to a document (creates a workflow to define the sequence and the order in which the nodes are processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event (to notify a user when not completed) (col. 6, lines 20-38) to be notified regarding process of the multiple processings (fig. 3; col. 6, lines 9-13); managing the progress of the multiple processings (manages the execution of processes for the workflow defined, manages processes and states, communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36); and sending a notice during the progress of the multiple processings based on the event to be notified indicated in the notice condition data (sending notification, col. 6, lines 31-34; col. 7, lines 55-59).

13. Although Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38), however, Yaung does not teach indicate at least one of predetermined types of communication to notify the event and varying the at least one of the predetermined types of communication to notify the event.. Collier teaches a server that creates data to indicate at least one of predetermined types of communication to notify an event and sends notice based on the at least one of the predetermined types of communication to notify the event (330, fig. 15; col. 9, lines 4-28; col. 6, lines 59-67); and a notice form change part that varies the at least one of the predetermined types of communication to notify the event (col. 9, lines 4-16) in a case where a specific user performs a processing (col. 7, lines 48-67).

14. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

15. As per claim 5, Yaung teaches the invention substantially as claimed for managing progress of multiple processings in a service processing system in which the multiple processings to document data are processed in a cooperative manner on a network (col. 4, lines 37-46), comprising: a script creation server that creates indication data to indicate the multiple processings (creates a workflow to define the sequence and the order in which the nodes are processed) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event to be notified regarding progress of the multiple processings (to notify a user when not completed) (col. 6, lines 20-38; fig. 3; col. 6, lines 9-13); a cooperative processing server that manages the progress of the multiple processings (manages the execution of processes for the workflow defined, manages processes and states, communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36) and sends a notice during the progress of the multiple processings based on the event to be notified indicated in the notice condition data received from the script creation server (sending notification, col. 6, lines 31-34; col. 7, lines 55-59).

16. Although Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38), however, Yaung does not teach indicate at least one of predetermined types of communication to notify the event and varying the at least one of the predetermined types of communication to notify the event.. Collier teaches a server that creates data to indicate at least one of predetermined types of communication to notify an event and sends notice based on the at least one of the predetermined types of communication to notify the event (330, fig. 15; col. 9, lines 4-28; col. 6, lines 59-67); and a notice form change part that varies the at least one of the predetermined types of communication to notify the event (col. 9, lines 4-16) in a case where a specific user performs a processing (col. 7, lines 48-67).

17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

18. As per claim 6, Yaung teaches the invention substantially as claimed for managing progress of multiple processings in a service processing system in which the multiple processings to document data are processed in a cooperative manner on a network (col. 4, lines 37-46), comprising: a script management server that receives indication data to indicate the multiple processing (receives the sequence and the order in which the nodes are processed in a workflow) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event to be notified regarding progress of the multiple processings (to notify a user when not

completed) (col. 6, lines 20-38; fig. 3; col. 6, lines 9-13); a cooperative processing server that manages the progress of the multiple processings (manages the execution of processes for the workflow defined, manages processes and states, communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36) and sends a notice during the progress of the multiple processings based on the event to be notified indicated in the notice condition data (sending notification, col. 6, lines 31-34; col. 7, lines 55-59).

19. Although Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38), however, Yaung does not teach indicate at least one of predetermined types of communication to notify the event and varying the at least one of the predetermined types of communication to notify the event.. Collier teaches a server that creates data to indicate at least one of predetermined types of communication to notify an event and sends notice based on the at least one of the predetermined types of communication to notify the event (330, fig. 15; col. 9, lines 4-28; col. 6, lines 59-67); and a notice form change part that varies the at least one of the predetermined types of communication to notify the event (col. 9, lines 4-16) in a case where a specific user performs a processing (col. 7, lines 48-67).

20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

21. As per claim 7, Yaung teaches the invention substantially as claimed in a service processing system in which multiple processings to document data are processed in a cooperative manner on a network (col. 4, lines 37-46), comprising: a script management server that receives indication data to indicate the multiple processings (receives the sequence and the order in which the nodes are processed in a workflow) (col. 5, lines 23-53; col. 7, lines 10-19), and notice condition data to indicate an event to be notified regarding the multiple processings (to notify a user when not completed) (col. 6, lines 20-38; fig. 3; col. 6, lines 9-13); a cooperative processing server that manages progress of the multiple processings (manages the execution of processes for the workflow defined, manages processes and states, communicates with user of part of workflow) (col. 3, lines 32-38; col. 7, lines 23-27, 34-36) and sends a notice during the progress of the multiple processings based on the event to be notified indicated in the notice condition data received from the indication data reception part(sending notification, col. 6, lines 31-34; col. 7, lines 55-59).

22. Although Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38), however, Yaung does not teach indicate at least one of predetermined types of communication to notify the event and varying the at least one of the predetermined types of communication to notify the event.. Collier teaches a server that creates data to indicate at least one of predetermined types of communication to notify an event and sends notice based on the at least one of the predetermined types of communication to notify the event (330, fig. 15; col. 9, lines 4-28; col. 6, lines 59-67); and a notice form change part that

varies the at least one of the predetermined types of communication to notify the event (col. 9, lines 4-16) in a case where a specific user performs a processing (col. 7, lines 48-67).

23. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

24. As per claims 24-28, Yaung and Collier teach the invention substantially as claimed in claims 1-7 above. Although Yaung teaches event indicated in the notice condition (col. 6, lines 20-38), however, Yaung does not specifically teach varying the at least one of the predetermined types of communication. Collier teaches wherein the notice form change part varies the at least one of the predetermined types of communication so that the notice based on the event is terminated (col. 9, lines 4-16).

25. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung and Collier because Collier's teaching of at least one of predetermined types of communication to notify the event would increase the user flexibility of Yaung's system by allowing a user to specify how an event should be notified.

26. Claims 8, 12, 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung and Collier in view of Ouchi, U.S. Patent Application Publication 2003/0061266 (hereinafter Ouchi).

27. Ouchi was cited in the previous office action.

28. As per claims 8 and 13, Yaung and Collier teach the invention substantially as claimed in claims 6 and 7 above. Yaung and Collier do not teach gives notice of execution completion. Ouchi teaches sends the notice when the multiple processings are completed ([0032]).

29. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung, Collier and Ouchi because Ouchi's teaching of notice of execution completion would enhance the notification mechanism in Yaung's and Collier's systems by providing notification of task progress or completion in a workflow.

30. As per claims 12 and 17, Yaung and Collier teach the invention substantially as claimed in claims 6 and 7 above. Yaung and Collier do not teach sends a notice in a case where a pay server or service is about to be executed. Ouchi teaches sends the notice in a case where service which needs to be paid (e.g., must include fees for filing a permit application to the county) is about to be executed ([0033] and [0024]) (message to initiate).

31. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung, Collier and Ouchi because Ouchi's teaching of notice in a case where a pay server or service is about to be executed would enhance the notification mechanism in Yaung's and Collier's systems by providing notification of task progress or completion in a workflow.

32. Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung and Collier in view of Tarumi et al, U.S. Patent 5,918,226 (hereinafter Tarumi).

33. Tarumi was cited in the previous office action.

34. As per claims 9 and 14, Yaung and Collier teach the invention substantially as claimed in claims 6 and 7 above. Yaung and Collier do not teach notice in a case where progress different from progress of the job recited in the indication data occurs. Tarumi teaches sending the notice in a case where a processing different from the multiple processings recited in the indication data occurs (col. 25, lines 38-49).

35. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung, Collier and Tarumi because Tarumi's teaching of sending a notice in a case where progress different from progress of the job recited in the indication data occurs would enhance the notification mechanism in Yaung's and Collier's systems by providing notification of task progress or completion in a workflow.

36. Claims 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung and Collier in view of Ghaffar, U.S. Patent 7,200,860 (hereinafter Ghaffar).

37. Ghaffar was cited in the previous office action.

38. As per claims 10 and 15, Yaung and Collier teach the invention substantially as claimed in claims 6 and 7 above. Yaung and Collier do not teach sends a notice in a case where an access to a file for a secret document occurs. Ghaffar teaches sending the notice in a case where an access to a file for a secret document occurs (col. 4, lines 8-19).

39. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung, Collier and Ghaffar because Ghaffar's teaching of sending a notice in a case where an access to a file for a secret document occurs would increase the security of Yaung's and Collier's systems by displaying a warning of an unauthorized access attempt to system operator.

40. Claims 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yaung and Collier in view of Palekar et al, U.S. Patent Application Publication 2006/0005229 (hereinafter Palekar).

41. Palekar was cited in the previous office action.

42. As per claims 11 and 16, Yaung and Collier teach the invention substantially as claimed in claims 6 and 7 above. Yaung and Collier do not teach sends a notice in a case where login to a specified server occurs. Palekar teaches sending the notice in a case where login to a specified server occurs ([0033]).

43. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Yaung, Collier and Palekar because Palekar's teaching of sending a notice in a case where login to a specified server occurs would increase the security of Yaung's and Collier's systems by providing login information as a notification in order to determine user's permission to access a server.

44. Applicant's arguments filed 12/19/08 have been fully considered but they are not persuasive.

45. In the remarks, applicant argued that:

- (1) Claims 5-17 are statutory subject matter.
- (2) Yaung and Collier fail to teach varies the at least one of the predetermined types of communication is changed in a case where a specific user performs a processing.

46. In response to point (1), the claimed device does not inherent mean that the claim is directed to a machine. Only if at least one of the claimed elements of the device is a physical part of a device can the claimed device constitutes as part of a device to be a machine. The cited portion of the specification cited on page 10, line 1 of the remark filed on 12/19/2008 does not disclose the claimed “script creation server” and “cooperative processing server” as physical element of a device. According to “The Authoritative Dictionary of IEEE Standards Terms”, “server” can be defined as software component. Therefore, a device comprising software components (i.e., servers) is not considered as a “machine” (i.e., one of the categories of statutory subject matter). Accordingly, the rejections for claims 5-17 are maintained.

47. In response to point (2), as stated above, the combination of Yaung and Collier teaches the limitation of varies the at least one of the predetermined types of communication to notify the event recited in the notice condition data received from the script creation server in a case where a specific user performs a processing. Specifically, Yaung teaches event recited in the notice condition data received from the script creation server (col. 6, lines 20-38). Yaung does not specifically teach varying the at least one of the predetermined types of communication to notify the event. Collier teaches varying at least one predetermined types of communication (e.g., email or custom facilities) to notify an event (col. 9, lines 4-16) in case where a specific user performs a processing (e.g., a user performs a purchase) (col. 7, lines 48-67).

48. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action. Any inquiry concerning this communication or

earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2448